UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JUL 11 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply to OCE-101

Certified Mail – Return Receipt Requested

Mr. Shimon Mizrahi
Managing Partner
Rainier Commons, LLC
3317 Third Avenue South
Seattle, Washington 98134

Re: Amendment 4 to the Risk-Based Disposal Approval for Polychlorinated Biphenyl Bulk Product Waste at the Rainier Commons Facility, 3100 Airport Way South, Seattle, Washington
EPA ID No. WAD 05123 9994

Dear Mr. Mizrahi:

The EPA has reviewed the workplan documents submitted by Rainier Commons for removal and disposal of paint contaminated with PCBs on the south side of Building 15 of the subject property. All of the submitted documents together shall comprise the Phase II Individual Phased Workplan (Phase II IPWP) and are hereby incorporated into the Risk-Based Disposal Approval (RBDA) granted by EPA on December 18, 2013, and become an enforceable condition of the approval, pursuant to the conditions noted below.

Documents include:

- Old Rainier Brewery Exterior Paint Abatement Phase II Individual Phased Workplan, dated February 24, 2015
- IPWP2 Baseline Dust Sample Collection and Assessment Plan dated March 18, 2015
- Phase II IPWP Supplement No. 1 dated March 25, 2015
- Phase II IPWP Supplement No. 2 dated May 8, 2015
- Building 15 wipe plan submitted by Doug Lansing December 11, 2015
- Phase II IPWP Supplement No. 3 dated December 22, 2015
- Dust Monitor Locations, Jan 27, 2016
- Particulate air monitoring results collected non-continuously from December 18, 2015 through February 11, 2016
- Gravimetric analysis for EPAM-5000 units #497 and #498 including collection procedures, dated June 9, 2016
- Email from Doug Lansing dated June 27, 2016, with additional containment structure construction details, Negative Air Machine calculations, and pre-abatement wipe sampling locations

Background:

The RBDA issued by EPA on December 18, 2013, establishes the baseline removal, disposal, control and monitoring activities that Rainier is required to carry out. Three amendments (Enclosure 1) have thus far been issued which supplement the requirements laid out in the RBDA through additional conditions. Amendment 1, dated June 17, 2014, laid out the conditions specific to Phase I of the abatement. Amendment 2, dated June 24, 2014, modified Amendment 1, and expired July 7, 2014. Amendment 3, dated August 12, 2014, modified Amendment 1 further in terms of air monitoring conditions, and allowed for continuous dust monitoring instead of daily air sample and analysis.

This approval constitutes Amendment 4 to the RBDA, providing supplementary conditions for abatement of paint on the southern exterior elevation of Building 15, as a component of Phase II. Amendments 1-3 are superseded by Amendment 4, and are therefore null and void.

Rainier Commons is held to the conditions of the RBDA as Amended.

Of special note, on page 220 of the Workplan, Rainier states that "The goal will be complete removal of the paint, with the understanding that the infrequent, small fleck of paint remaining post-abatement is functionally unavoidable as a practical matter." In the original, December 2013 RBDA EPA established that complete removal of all PCB contaminated paint is required. This is explained in the Statement of Basis under Condition 7. EPA again emphasizes that ongoing use of paint contaminated with PCBs is unauthorized. Therefore, all paint contaminated with PCBs is required to be removed and disposed.

Conditions:

1. Only components of the Workplan that relate to abatement of Building 15 are approved under this approval. No abatement activity for any other proposed work area in Phase II is approved at this time.
2. Rainier shall install sticky mats at the entrances to Building 15 to prevent track-in.
3. Condition 5 of the RBDA defines disposal of paint/blasting media, containment structure materials, personal protective equipment, and all non-liquid cleaning material requirements. The condition is herein clarified. Abatement work is expected to generate three separate waste streams: paint/blasting media constituting PCB bulk product waste; containment structure materials, personal protective equipment, non-liquid cleaning materials, and other non-PCB bulk product waste; liquid wastes. Rainier shall segregate each waste stream for waste profile characterization. Only after characterization is complete may the waste streams be co-mingled, if allowed pursuant to federal and state regulations. Furthermore, during Phase I Copper Slag was used as the blasting media, and as a result, the blasting media was analyzed for metals. The following metals were identified: Chromium, Copper, Nickel, Zinc and Lead. Phase 1 blasting debris waste was analyzed for the metals identified in the blasting media prior to disposal. If Copper Slag is used as the blasting media in Phase II, Rainier is responsible for ensuring that in addition to PCB analysis, waste streams are analyzed for these identified metals in order to ensure compliance with all applicable state and federal rules and regulations as required in Condition 19 of the RBDA.
4. Condition 6 of the RBDA is clarified herein by the following additional requirements:
    a. Ensure that no tenants have access to the interior space throughout the duration of abatement. They shall not be allowed re-entry at the end of the day.
    b. The action levels for catch basin monitoring samples collected during active removal are herein clarified: The detection of PCBs per Aroclor > 0.1 Micrograms/Liter in aqueous

samples, or >1 ppm total PCBs in catch basin sediments during active removal shall trigger an evaluation of the containment structure and interim measures by both Rainier and EPA at the project management level to devise and implement appropriate improvements where applicable.

5. Condition 10 of the RBDA is supplemented herein with specifications provided in the Phase II IPWP:
    a. Interior containment shall be constructed inside the building by attaching a double layer of 4 mil poly-sheeting against the interior side of the wall undergoing abatement. This sheeting shall completely cover the wall and be sealed so that no blasting debris may penetrate the interior space, as described in the February 24, 2015 Workplan.
    b. Secondary containment shall be implemented inside by hanging poly-sheeting approximately 1-2 feet away from floor to ceiling. This sheeting shall be sealed to the side-walls, ceiling and floor to provide secondary containment in the exceptional case of a breach during blasting.
    c. Interior containment and secondary containment shall remain in place until after exterior containment is removed. Workers who remove interior containment shall wear appropriate PPE for handling PCB contaminated waste.
    d. Daily housekeeping shall be updated to include daily collection and containment of PCB bulk product waste into DOT approved supersacks within the exterior blasting containment structure, storing it under the scaffolding as described in the Phase II Workplan and Supplement number 3. Daily housekeeping shall also include brush down of all surfaces or wet wiping the interior surfaces of the blasting containment structure and abated walls and HEPA vacuuming. Daily housekeeping shall also include visual inspection of all interior barriers to ensure seal integrity prior to blasting.
    e. The protection and containment area for scaffolding shall be staged, inspected and cleaned during breakdown as documented in the February 24, 2015 Workplan.
6. Condition 16 of the RBDA is herein supplemented to require Rainier to provide a copy of this approval to any prospective lessees prior to the effective date of any lease of property subject to the conditions of this approval.
7. All personnel entering the interior or exterior containment structures, or conducting any cleaning or sample collection for PCB analysis shall do so wearing appropriate PPE as documented in the Health and Safety Plan in the Phase II IPWP to protect against PCB exposure.
8. Rainier collected baseline wipe sampling on June 24, 2016. Results of this sampling event, as well as a report documenting sample collection and analytical procedures shall be submitted to EPA prior to collecting confirmation wipe sampling at the conclusion of blasting activity.
9. Rainier shall report the results of gravimetric analysis and average correlation factors for the four additional EPAM-5000 dust monitoring devices to be used on-site by July 14, 2006.
10. Rainier shall conduct interior and exterior particulate dust monitoring in accordance with the Work Plan and subject to conditions below:
    a. Monitoring Requirements:
        i. Rainier shall place two EPAM-5000 dust monitoring devices between the interior containment barrier and secondary containment barrier (containment area) on each floor. Each monitor shall be fitted on a daily basis with a 47 mm 1.0 micron filter. Low-velocity fans shall be placed at either end of the containment area and pointed towards the dust monitors, to preferentially move air and dust towards the monitors. The sampling interval shall be over the duration of daily blasting activity. Location of monitors and fans shall be as depicted in the Dust Monitor Location email. Rainier shall set the audible alarm on the dust monitors at 2.0

mg/m^3. Rainier shall conduct hourly inspections to listen for the alarm. Filter samples shall only be analyzed pursuant to Condition 10.c below.

ii. Rainier shall place two air sampling devices on each floor within the interior space, outside the containment area. Sample collection and analytical procedures are those used in Phase 1, documented in the June 9, 2014 PCB Air Sampling Plan for Phase 1 IPWP. These samples shall only be analyzed pursuant to Condition 10.c below.

iii. Rainier shall use a wind-sock or similar device to measure wind direction. Two EPAM-5000 dust monitoring devices fitted on a daily basis with a 47 mm 1.0 micron filter shall be placed near Negative Air Machine (NAM) exhausts downwind of the abatement activity. In accordance with the Work Plan and Condition 10.b above, sampling devices shall be co-located with the dust monitors. Wind direction shall be assessed every four hours and monitoring devices moved accordingly.

b. Monitoring Decision Criteria:
Rainier shall monitor the performance of blasting containment according to the following criteria:

i. The dust concentration read-out from each EPAM-5000 machine shall be corrected according to the average correlation factor established for each machine, as noted below:
Unit #497 correlation factor = 1.52
Unit #498 correlation factor = 2.06
All other Unit correlation factors = 1.79

ii. The daily Time Weighted Average of interior dust concentrations measured by the EPAM-5000 units exceeds 0.0282 mg/m^3, as corrected by each unit correlation factor according to Condition 10.b.i

iii. The interior EPAM-5000 instrument audible alarm indicates an exceedance of the 3.3 mg/m^3 setpoint criteria during any hourly inspection;

iv. The exterior EPAM-5000 instrument indicates an exceedance of the 0.05 mg/m^3 daily Time Weighted Average;

v. A breach of the containment structure to the interior space or the exterior environment is either observed by visual identification of dust, paint or blasting material;

vi. A manometer sensor alarm identifies a reduction in differential pressure between the outside containment structure and ambient air greater than 0.02" of water.

c. Response Actions:
If any of the criteria in Condition 10.b.ii – vi are exceeded, Rainier shall perform the following actions:

i. If the criteria under 10.b. iii, iv, v or vi. are exceeded, Rainier shall immediately cease blasting activities.

ii. Investigate the cause of the exceedance, including a visual inspection for any breach or evidence of a breach such as dust around the edges of the interior containment, or a hole or other break in the seal.

iii. Send the dust monitor filter and indoor air sample collected over the same interval that caused an exceedance for analysis for PCBs. If copper slag blasting media was used, also analyze the samples for the metals identified in Condition 3 above.

iv. Mitigate any observed breach. Dust/paint/blasting material shall be cleaned up according to the PCB Spill Cleanup Policy, including the collection of a wipe sample from any surface affected by a breach, or as requested by EPA, pursuant

to 40 CFR 761.243. Rainier shall wait for EPA approval before resuming blasting activities.

v. Report the exceedance or discovery of a breach to EPA as soon as practicable, but no later than 24 hours from the discovery of an exceedance or breach. Report any repair of a breach and/or completion of cleanup to EPA within 24 hours of completion. Reporting shall include photo documentation of any visible breach and/or repair activity.

vi. If a release occurred in the outdoor environment, Rainier shall sample the sediment catch basins identified as sampling locations in the December 17, 2013 RBDA following the next rain event with measurable flow.

11. Rainier shall include in daily logs all activity that occurs inside Building 15. Rainier shall also record any activity in the outdoor area that may impact dust monitor readings. Rainier shall also record daily weather conditions including temperature, humidity, wind direction and velocity.
12. Indoor and outdoor dust and air monitoring shall continue until after the containment structure is entirely removed from both interior and exterior spaces.
13. Following removal of interior containment and secondary containment, the interior wall, floor and ceiling within the secondary containment area shall be cleaned.
14. Rainier shall collect post-abatement wipe samples in the interior space pursuant to the procedures described in the March, 2015 Wipe Sampling Plan, which describes the procedures for collecting a standard wipe test as defined at 40 CFR 761.123.
    a. Any composite wipe samples shall be collected in accordance with 40 CFR 761.312(a).
    b. Wipe samples shall be collected adjacent to the baseline wipe sample locations collected on June 24, 2016, or as requested by EPA.
15. Extraction Methods for samples shall be conducted using either EPA Method 3500B/3540C or Method 3500B/3550B.
16. Rainier shall submit weekly reports every Monday for the work that proceeded the week prior and any updates for the upcoming week. Reports shall include all daily background readings, daily dust monitoring readings, any tenant interactions, photographs, and a general progress report including any problems encountered and actions taken to mitigate problems.

The terms and conditions of this approval are established pursuant to 40 C.F.R. §§ 761.62(c) and 761.61(c) and enforceable under the Toxic Substances Control Act (TSCA). Any actions which deviate from the terms and conditions of this approval may result in administrative, civil, or criminal enforcement in accordance with Sections 16 and 17 of TSCA, 15 U.S.C. §§ 2615 and 2616.

Should you have any questions or comments, please contact Michelle Mullin at (206) 553-1616, or Mullin.Michelle@epa.gov.

Sincerely,

Edward J. Kowalski
Director

Enclosure:
1. Statement of Basis

cc: Ms. Jo M. Flannery
Ryan, Swanson & Cleveland, PLLC

Mr. Richard Thomas
Washington Department of Ecology

Mr. Dan Cargill
Washington Department of Ecology

Mr. Arnaud Gerard
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